NOTICE OF TYPE III DEVELOPMENT REVIEW APPLICATION, OPTIONAL SEPA DETERMINATION OF NON-SIGNIFICANCE & PUBLIC HEARING



The Clark County Department of Community Development has received an application for development review, as described below. Based on a review of the submitted application materials, the County expects to issue a <u>Determination of Non-Significance (DNS)</u> for the proposal allowed by state law and Clark County Code (CCC), Section 40.570.040(E) – Optional DNS Process. As lead agency, the county has determined that the requirements for environmental analysis, protection, and mitigation measures are adequately addressed in the development regulations and comprehensive plan adopted under chapter 36.70A RCW, and in other applicable local, state, or federal laws rules, as provided by RCW 43.21.240 and WAC 197-11-158. Our agency will not require any additional mitigation measures under SEPA. The proposal may include mitigation under applicable codes and the project review.

Comments received within the deadline will be considered in the review of the proposal. Your response to this notice may be your only opportunity to comment on the environmental impacts of this proposal. No additional comment period will be provided unless probable significant environmental impacts are identified during the review process, which would require additional study or special mitigation. The proposal may include mitigation under applicable codes and the project review process may incorporate or require mitigation measures regardless of whether an Environmental Impact Statement (EIS) is prepared.

Closing Date for Public Comments: December 4, 2009 (15 days from notice)

Information regarding this application can be obtained by contacting the staff contact person listed below, or visit the Public Service Center, Development Services Division, 1300 Franklin Street, 3rd Floor, Vancouver, Washington.

The Clark County Hearings Examiner will conduct the public hearing on January 14, 2010 at 6:00 P.M., at Public Service Center, 1300 Franklin St., Vancouver, Washington, Sixth Floor Suite 680. Parking is available in the parking garage on the north side of the Public Service Center (access off Franklin St.) after 5:30pm.

Project Name: NORWAY GREEN SUBDIVISION

Case Number: PLD2009-00049; SEP2009-00085; BLA2009-00033;

HAB2009-00076

Location: 36400 SE 20th Street

Request: The applicant is requesting to subdivide approximately 49.63

acres into 9 single-family residential lots located in the R-5 zone

district

Applicant/Contact:

Joel Stirling

2208 E. Evergreen Blvd. Vancouver, WA 98661

(360)759-1794; (360)759-4983 fax

joel@sterling-design.biz

Property Owner:

John & Georgiana Warta

PO Box 1088 Camas, WA 98607

Zoning:

R-5

Comp Plan Designation: R-5

Parcel Number(s):

143253-002, 143253-004

Township: 2 North

Range: 4 East

SW & SE 1/4 of Section: 34

Applicable Code Sections:

Clark County Code: 15 (Fire Prevention), 40.210.020 (Rural Residential), 40.350 (Transportation), 40.350.020 (Transportation Concurrency), 40.380 (Stormwater & Erosion Control), 40.500 & 40.510 (Procedures), 40.540 (Land Division), 40.570 (SEPA), 40.570 (SEPA Archaeological), 40.610 (Impact Fees), 24 (Public Health), RCW 58.17, and the Clark County Comprehensive Plan

Neighborhood Contact: Washougal River Neighborhood Association, Kevin Addis, 512 NE 302nd Avenue, Washougal, WA 98671

Staff Contact Person:

Planner Name: Richard Daviau (360) 397-2375, ext. 4895

E-mail: richard.daviau@clark.wa.gov

Team Leader Name: Michael Butts (360) 397-2375, ext. 4137.

Please email SEPA comments to: richard.daviau@clark.wa.gov

Note: If mailing comments, an accurate mailing address for those submitting comment must be included or they will <u>not qualify</u> as a "Party of Record" and, therefore, will not have standing to appeal the decision.

If written comments or documents are to be hand delivered, please submit them to the Public Service Center, 1st floor.

Responsible Official: Michael V. Butts, Development Services Manager Public Service Center, Department of Community Development, 1300 Franklin Street, P.O. Box 9810, Vancouver, WA 98666-9810



Application Filing date: September 29, 2009 October 20, 2009 Fully Complete Date:

Date of this notice: November 19, 2009

SEPA Options:

As lead agency under the State Environmental Policy Act (SEPA) Rules [Chapter 197-11, Washington Administrative Code (WAC)], Clark County must determine if there are possible significant adverse environmental impacts associated with this proposal. The options include the following:

- DS = Determination of Significance (The impacts cannot be mitigated through conditions of approval and, therefore, requiring the preparation of an Environmental Impact Statement (EIS);
- MDNS = Mitigated Determination of Non-Significance (The impacts can be mitigated through conditions of approval); or,
- DNS = Determination of Non-Significance (The impacts can be addressed by applying the County Code).

Timelines/Process:

Decisions on Type III applications are made within 92 calendar days of the Fully Complete date (noted above), unless placed on hold for the submittal of additional information.

SEPA Appeal Process:

A procedural SEPA appeal is an appeal of the determination (i.e., determination of significance, determination of non-significance, or mitigated determination of nonsignificance). A substantive SEPA appeal is an appeal of the conditions required to mitigate for probable significant issues not adequately addressed by existing County Code or other law.

Issues of compliance with existing approval standards and criteria can still be addressed in the public hearing without an appeal of this SEPA determination.

A procedural appeal must be filed within fourteen (14) calendar days of this determination, together with the appeal fee. Such appeals will be considered in the scheduled public hearing and decided by the Hearing Examiner in a subsequent written decision.

Appeals must be in writing and contain the following information:

- 1. The case number designated by the County and the name of the applicant;
- 2. The name and signature of each person or group (petitioners) and a statement showing that each petitioner is entitled to file an appeal as described under Section 40.510.030(H) of the Clark County Code. If multiple parties file a single petition for review, the petition shall designate one party as the contact representative with the Development Services Manager. All contact with the Development Services Manager regarding the petition, including notice, shall be with this contact person;

- 3. The specific aspect(s) of the decision and/or SEPA issue being appealed, the reasons why each aspect is in error as a matter of fact or law, and the evidence relied, on to prove the error; and,
- 4. A check for the appeal fee (made payable to the Department of Community Development).

The appeal request and fee shall be submitted to the Department of Community Development, Customer Service Center, at the address listed below.

The decision of the Hearing Examiner is final unless there is:

- A motion filed for reconsideration within fourteen (14) days of written notice of the decision, as provided under Clark County Code, Section 2.51.160; or,
- An appeal is filed with Clark County Superior Court.

ACCOMMODATION OF PHYSICAL IMPAIRMENTS

The Public Service Center is wheelchair accessible. If you need auxiliary aids or services in order to attend, contact the Clark County ADA Office. **Voice** (360) 397-2000; **Relay** (800) 833-6384; **E-mail** ADA@clark.wa.gov.

Information Available on the County Web Page:

- "Weekly Preliminary Plan Review Status Report," (includes current applications, staff reports and final decisions): (http://www.clark.wa.gov/commdev/active-landuseN.html)
- Pre-Application Conferences and Public Land Use Hearing Agendas: (http://www.clark.wa.gov/commdev/agendasN.asp)
- Applications and Information Handouts for each Type of Land Use Permit: (http://www.clark.wa.gov/commdev/applicationsN.html) (Landuse)

Phone: (360) 397-2375; Fax: (360) 397-2011 Web Page at: http://www.clark.wa.gov

Attachments:

- Proposed project site/land division plan
- Map of property owners receiving notice

Agency Distribution:

This notice is being provided to the following agencies with jurisdiction whose services maybe impacted by implementation of this proposal:

Federal Agencies:

U.S. Army Corps of Engineers - Enforcement Division

Tribes:

Cowlitz Indian Tribe Yakama Nation Chinook Tribe

State Agencies:

Department of Natural Resources (S.W. Region)

Department of Ecology

Department of Fish and Wildlife Department of Transportation

Regional Agencies:

Fort Vancouver Regional Library Southwest Clean Air Agency

Vancouver-Clark Parks & Recreation

Local Agencies:

Clark County Department of Community Development

Development Services
Development Engineering

Fire Marshal

Clark County Health Department

Clark County Public Works Transportation Division

Clark County Conservation District Clark County Water Resource Council City of Vancouver Transportation

Special Purpose Agencies:

Fire Protection District - East County

Clark Public Utilities

Clark Regional Wastewater District/City of Vancouver Water/Sewer

The Media

The Columbian
The Oregonian
The Reflector

Vancouver Business Journal

The Post Record

Other:

Applicant

Clark County Neighbors

Clark County Natural Resources Council

Clark County Citizens United

C-Tran

Washougal River Neighborhood Association

Add Attachment for Agencies:

SEPA checklist

Clark county SEPA Environmental Checklist

Washington Administrative Code (WAC) 197-11-960

Purpose of checklist:

The State Environmental Policy Act (SEPA), Revised Code of Washington (RCW), Chapter 43.21C, requires all governmental agencies to consider the environmental impacts of a proposal before making decisions. An environmental impact statement (EIS) must be prepared for all proposals with significant adverse impacts on the quality of the environment. The purpose of this checklist is to provide information to help you and the agency identify impacts from your proposal and to help the agency decide whether or not an EIS is required.

Instructions for applicants:

This environmental checklist asks you to describe basic information about your proposal. Governmental agencies use this checklist to determine whether or not the environmental impacts of your proposal are significant. Please answer the questions briefly, giving the most precise information or best description known. In most cases, you should be able to answer the questions from your own observations or project plans without the need to hire experts. If you do not know the answer or if a question does not apply to your proposal, write "do not know" or "does not apply."

Some questions pertain to governmental regulations such as zoning, shoreline, and landmark designations. If you have problems answering these questions, please contact the Clark County Customer Service Center for assistance.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. You may be asked to explain your answers or provide additional information related to significant adverse impacts.

Use of checklist for non-project proposals:

Complete this checklist for non-project proposals (e.g., county plans and codes), even if the answer is "does not apply." In addition, complete the **SUPPLEMENTAL SHEET FOR NON-PROJECT ACTIONS** (Part D).

For non-project actions, the references in the checklist to the words "project," "applicant," and "property or site" should be read as "proposal," "proposer," and "affected geographic area," respectively.

A. Background

- 1. Name of proposed project, if applicable: Norway Green Subdivision
- 2. Name of applicant: **Joel Stirling, STERLING DESIGN, INC.**
- Address and phone number of applicant and contact person:
 2208 E. Evergreen Blvd., Vancouver, WA, 98661/ (360) 759-1794
- 4. Date checklist prepared: 09-28-09
- 5. Agency requesting checklist: **Clark County**
- 6. Proposed timing or schedule (including phasing, if applicable):

 Project is phased. 1st phase plat will be recorded between 2010 and early
 2015 and the second phase no later than 2016.
- 7. Do you have any plans for future additions, expansion, or further activity related to this proposal? If yes, explain. **No**
- 8. List any environmental information that has been or will be prepared related to this proposal. Archeological Pre-Determination has been completed at the site with approval by DAHP. There is an existing riparian habitat buffer recorded on the property that will remain undisturbed as part of this application.
- 9. Are other applications pending for governmental approvals affecting the property covered by your proposal? If yes, please explain. **No**
- List any government approvals or permits needed for your proposal:
 Clark County for Subdivision plat approval & home construction
- 11. Give a brief, complete description of your proposal, including the proposed uses and size of the project and site. There are several questions addressed later in this checklist asking you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)

Boundary line adjust a property from 50.09 acres down to 49.63 acres then subdivide it into a total of 9 lots, 8 new home sites and 1 existing home to remain, within 2 phases

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including street address, section, township, and range. If this proposal occurs over a wide area, please provide the range or boundaries of the site. Also, a legal description, site plan, vicinity map, and topographic map. You are required to submit any plans required by the agency, but not required to submit duplicate maps or plans submitted with permit applications related to this checklist.

The project is located at the cross road of SE 20th Street & SE 357th Avenue, Serial Number 143253-002 located in a portion of the SW ¼ of Section 34, Township 2 North, Range 4 East, Willamette Meridian, Clark County, WA

B. Environmental Elements

1. **Earth** Agency Use only

- a. General description of the site (circle one): Flat, **rolling, hilly,** steep slopes, mountainous, other _____.
- b. What is the steepest slope on the site and the approximate percentage of the slope? **Approximately 15%**
- c. What general types of soils are found on the site (e.g., clay, sand, gravel, peat, muck)? Please specify the classification of agricultural soils and note any prime farmland. (HcE), (HcD), (HcF) & (HcB); Type C soil(s).
- d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, please describe. **No**
- e. Describe the purpose, type, and approximate quantities of any filling or proposed grading. Also, indicate the source of fill. Grading will take place when each home is constructed on each of the 8 new lots. It is anticipated that there may be up to 8,000 cu.yds of cut and fill

required for the construction of the homes and related driveways. Fill source is unknown at this time but will likely just be generated on each lot during the grading process for each new home site.

- f. Could erosion occur as a result of clearing, construction, or use? If so, please describe. Yes, an erosion control plan will be designed and approved prior to commencing any construction activities as required by Clark County Code.
- g. What percentage of the site will be covered with impervious surfaces after the project construction (e.g., asphalt or buildings)? Approximately 3%

Agency Use only

h. Proposed measures to reduce or control erosion, or other impacts to the earth include: An approved erosion control plan will be submitted to and approved by Clark County prior to commencing construction on the home sites.

2. Air

- a. What types of emissions to the air would result from this proposal (e.g., dust, automobile, odors, industrial wood smoke) during construction and after completion? Please describe and give approximate quantities. Construction dust and vehicle emissions during construction of homes. Single-family residential uses following build out.
- b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, please describe. **No**
- c. Proposed measures to reduce or control emissions or other impacts to air: **N/A**

3. Water

a. Surface:

- 1) Is there any surface water body on or in the vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, and wetlands)? If yes, describe the type and provide names and into which stream or river it flows into. There is an unnamed spring on the property and a seasonal drainage way with an existing riparian buffer that will remain.
- 2) Will the project require any work within 200 feet of the described waters? If yes, please describe and attach available plans. **No**
- 3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material. None

Agency Use only

- 4) Will the proposal require surface water withdrawals or diversions? Please provide description, purpose, and approximate quantities: No
- 5) Does the proposal lie within a 100-year floodplain? If so, please note the location on the site plan. **No**
- 6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge. No

b. Ground:

- Will ground water be withdrawn, or will water be discharged to ground water? Please give description, purpose, and approximate quantities. Yes, the new homes will utilize wells and septic systems
- 2) Describe waste material that will be discharged into the ground from septic tanks or other sources; (e.g., domestic sewage; industrial, containing the following chemicals. . . ; agricultural; etc.). Describe the size and number of the systems, houses to be served; or,

the number of animals or humans the systems are expected to serve. **Single-family residential uses**

c. Water runoff (including stormwater):

- Describe the source of runoff (including storm water) and method of collection and disposal. Include quantities, if known. Describe where water will flow, and if it will flow into other water. Each home site will manage the drainage associated with the proposed driveway and roof areas as required by CCC40.380
- Could waste materials enter ground or surface waters? If so, please describe. No
- d. Proposed measures to reduce or control surface, ground, and runoff water impacts, if any: **None**

4. Plants

- a. Check or circle types of vegetation found on the site:
 - Deciduous tree: alder, maple, aspen, other
 - Evergreen tree: fir, cedar, pine, other
 - Shrubs
 - Grass
 - Pasture
 - Crop or grain
 - Wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other
 - Water plants: water lily, eelgrass, milfoil, other
 - Other types of vegetation
- b. What kind and amount of vegetation will be removed or altered? Pasture grass will be replaced with driveways and home sites
- c. List threatened or endangered species on or near the site.

d. List proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site:

None

5. Animals

- a. Circle any birds and animals which have been observed on or near the site:
 - Birds: hawk, heron, eagle, songbirds, other;
 - Mammals: deer, bear, elk, beaver, other; and,
 - Fish: bass, salmon, trout, herring, shellfish, other.
- b. List any threatened or endangered species known to be on or near the site. **None**
- c. Is the site part of a migration route? If so, please explain. No
- d. List proposed measures to preserve or enhance wildlife:

6. Energy and natural resources

- a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc. Single-family uses of electricity and propane
- b. Would your project affect the potential use of solar energy by adjacent properties? If so, please describe. **No**
- **c.** What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts: **None**

7. Environmental health

- a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal? If so, please describe. No
 - 1) Describe special emergency services that might be required. **Single-family uses**
 - 2) Proposed measures to reduce or control environmental health hazards, if any: **None**

b. Noise

- What types of noise exist in the area which may affect your project (e.g., traffic, equipment, operation, other)?
 Construction noise during construction of homes, typical single-family residential noise following build out.
- 2) What types and levels of noise are associated with the project on a short-term or a long-term basis (e.g., traffic, construction, operation, other)? Indicate what hours the noise would come from the site. Construction hours are 7:00am to 7:00 pm, only during subdivision and home construction.
- 3) Proposed measures to reduce or control noise impacts: **None**

8. Land and shoreline use

- a. What is the current use of the site and adjacent properties? The site currently has multiple outbuilding structures that will be removed as part of the development process. The property also has a single-family residence that remain with other associated outbuilding structures.
- b. Has the site been used for agriculture? If so, please describe. **Unknown**

- c. Describe any structures on the site. **Multiple outbuildings** and 1 existing single family home.
- d. Will any structures be demolished? If so, please describe. Yes, many of the outbuildings will be removed as part of the plat approval process.
- e. What is the current zoning classification of the site? **R-5**
- f. What is the current comprehensive plan designation of the site? **R-5**
- g. What is the current shoreline master program designation of the site? **N/A**
- h. Has any part of the site been classified as an "environmentally sensitive" area? If so, please specify.
 Yes, there is an existing riparian habitat buffer on the property that will remain undisturbed
- i. How many people would reside or work in the completed project? **8 new families**
- j. How many people would the completed project displace? None
- k. Please list proposed measures to avoid or reduce displacement impacts: **N/A**
- List proposed measures to ensure the proposal is compatible with existing and projected land uses and plans: Approval by Clark County

9. Housing

- a. Approximately how many units would be provided? Indicate whether it's high, middle, or low-income housing. **8 new** home sites for any type of housing from mobile homes to stick built.
- b. Approximately how many units, if any, would be eliminated? Indicate whether it's high, middle, or low-income housing. **None**
- c. List proposed measures to reduce or control housing impacts:

 None

10. Aesthetics

- a. What is the tallest height of any proposed structure(s), not including antennas? What is proposed as the principal exterior building materials? 35', siding will be standard siding typically used for building in the northwest
- b. What views in the immediate vicinity would be altered or obstructed? **None**
- c. Proposed measures to reduce or control aesthetic impacts:

 None

11. Light and glare

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur? **Single-family uses**
- b. Could light or glare from the finished project be a safety hazard or interfere with views? **No**
- c. What existing off-site sources of light or glare may affect your proposal? Car lights, adjacent single family residential uses

d. Proposed measures to reduce or control light and glare impacts: **None**

12. Recreation

Agency Use only

- a. What designated and informal recreational opportunities are in the immediate vicinity? **None**
- b. Would the project displace any existing recreational uses? If so, please describe. **No**
- **d.** Proposed measures to reduce or control impacts on recreation, including recreational opportunities to be provided by the project or applicant: **None**

13. Historic and cultural preservation

- a. Are there any places or objects on or near the site which are listed or proposed for national, state, or local preservation registers. If so, please describe. **No**
- b. Please describe any landmarks or evidence of historic, archaeological, scientific, or cultural importance known to be on or next to the site. High archaeological predictive, a archaeological predetermination has been performed at the site and a letter from DAHP is included within the application materials. The property was utilized as a school in the early 1900's and there are some scattered remains of the school house. These areas will be monitored during construction and any archaeological items will be collected
- c. Proposed measures to reduce or control impacts: **None at this time.**

14. Transportation

 Identify the public streets and highways serving the site, and describe proposed access to the existing street system. Show on site plans, if any. I-5, I-205, 32nd Street, Stiles

Road, 34th Street, Lawton Road, Jennings Road, 352nd Avenue & 20th Street

- b. Is the site currently served by public transit? If not, what is the approximate distance to the nearest transit stop? **No**
- c. How many parking spaces would the completed project have? How many would the project eliminate? **N/A**

Agency Use only

- d. Will the proposal require new roads or streets, or improvements to existing roads or streets, not including driveways? If so, please describe and indicate whether it's public or private. No. The project only requires driveways to be constructed on the property to access the new home sites. The existing roads along the perimeter of the property are improved to minimum standards and will not be improved further
- e. Will the project use water, rail, or air transportation? If so, please describe. **No**
 - f. How many vehicular trips per day would be generated by the completed project? Indicate when peak traffic volumes would occur. Approximately 80, 8 AM peak trips and 8 PM peak trips.
- g. Proposed measures to reduce or control transportation impacts: **None**

15. Public services

- a. Would the project result in an increased need for public services (e.g., fire protection, police protection, health care, schools, other)? If so, please describe. Proposed singlefamily use will require all services
- Proposed measures to reduce or control direct impacts on public services: **None**

16. Utilities

- a. Circle the utilities currently available at the site: **electricity**, natural gas, water, refuse service, **telephone**, sanitary sewer, **septic system**, **wells**, other.
- b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on or near the site: **All utilities as listed above**

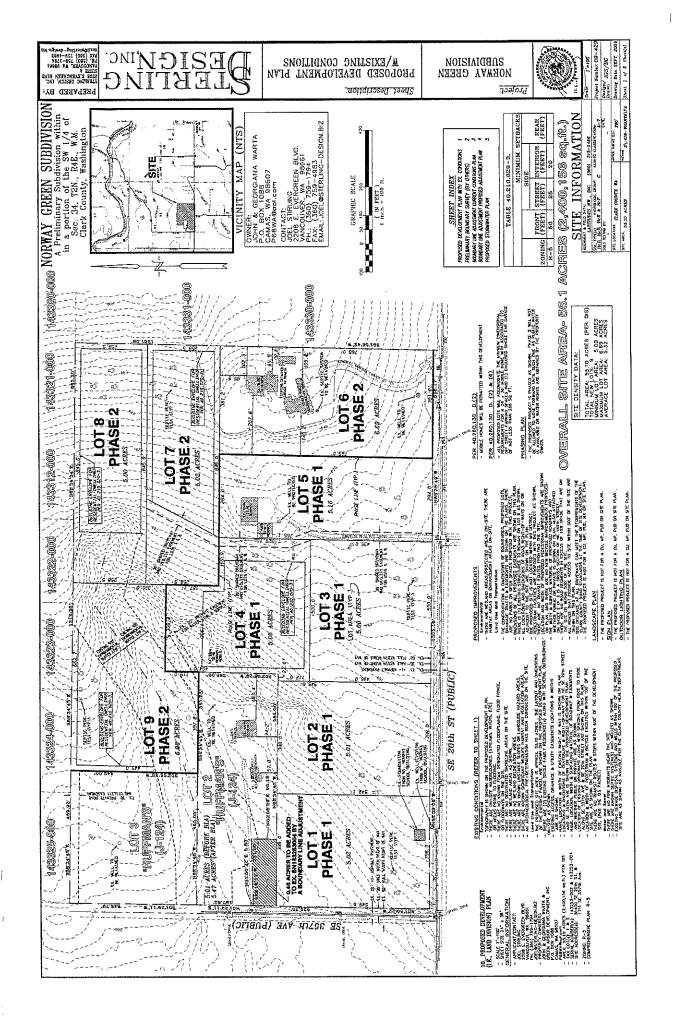
C. Signature

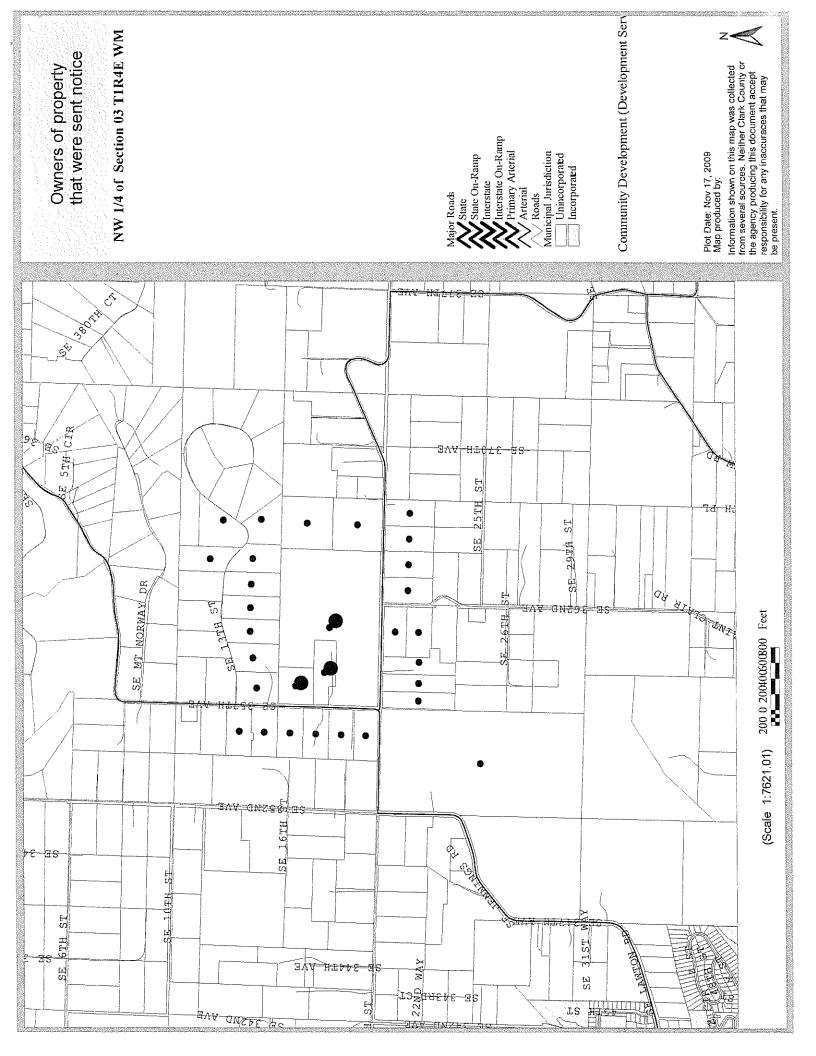
The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature:

Date Submitted:

01-28-09





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